



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,339	11/07/2003	Daniel Thomas Jones	1-24874	1978

4859 7590 01/05/2006

MACMILLAN SOBANSKI & TODD, LLC
ONE MARITIME PLAZA FOURTH FLOOR
720 WATER STREET
TOLEDO, OH 43604-1619

EXAMINER

SIMONE, CATHERINE A

ART UNIT PAPER NUMBER

1772

DATE MAILED: 01/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/692,339	Applicant(s) JONES, DANIEL THOMAS	
	Examiner Catherine Simone	Art Unit 1772	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 15, 16 and 18-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 15, 16 and 18-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Repeated Rejections

1. The 35 U.S.C. 102 rejection of claims 1-8, 15, 16 and 18-25 as anticipated by Rolston is repeated for the reasons previously set forth in the Office Action mailed 8/8/05, Pages 3-4, Paragraph #4.

Response to Arguments

2. Applicant's arguments filed 10/20/05 have been fully considered but they are not persuasive. Applicant argues, "there is simply no disclosure whatsoever contained in the Rolston reference that the grooved body 52 can or should be formed from a reinforcement resin material, as specifically recited in Claim 1". However, it is to be pointed out that Rolston discloses fiber-reinforced resinous articles (see col. 1, lines 5-7 and see claims 1-8). Also, in Figure 3 of Rolston, the plastic grooved body 52 supports the two reinforced fiber layers 48 and 50. Therefore, the plastic grooved body 52 in Rolston is clearly a layer of a reinforcement resin material. Thus, Rolston clearly teaches a layer of a reinforcement resin material as recited in claim 1.

Applicant further argues that "it is clear that the grooved body 52 functions to define passageways through resin flow and is not a reinforcement resin material, as specifically recited in Claim 1". Again, it is to be pointed out that Rolston discloses fiber-reinforced resinous articles (see col. 1, lines 5-7 and see claims 1-8). Also, in Figure 3 of Rolston, the plastic grooved body 52 supports the two reinforced fiber layers 48 and 50. Therefore, the plastic grooved body 52 in

Art Unit: 1772

Rolston is clearly a layer of a reinforcement resin material. Thus, Rolston clearly teaches a layer of a reinforcement resin material as recited in claim 1.

Furthermore, Applicant argues that “similarly, there is no disclosure whatsoever contained in the Rolston reference that the grooved body 52 has an inherent tack that holds the fibrous reinforcement material in place, as also specifically recited in independent Claim 1”. However, it is to be pointed out in Figure 3 of the Rolston reference that the plastic grooved body 52 is placed in contact with the fiber layers 48 and 50 and the channels 54 formed in the body 52 are held in constant communication with the interior surfaces of the fiber mats 48 and 50 throughout their length (see col. 4, lines 29-38 and col. 6, lines 1-7). Therefore, the grooved plastic body 52 in Rolston clearly has an inherent tack that holds the fibrous reinforcement material in place. Thus, Rolston clearly teaches a layer of a reinforcement resin material having an inherent tack that holds the fibrous reinforcement material in place as recited in claim 1.

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Catherine Simone whose telephone number is (571)272-1501.


The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on (571) 272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Catherine A. Simone
Examiner
Art Unit 1772
December 27, 2005



HAROLD PYON
SUPERVISORY PATENT EXAMINER
1772

1/3/06